

CM / ECF

CourtNotes

Electronic Case Files

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March 2005

Latest CM/ECF Statistics. During February, 2005, approximately 62% of all bankruptcy petitions in the District of Hawaii were filed via the Internet using ECF. About 48% of all pleadings were filed electronically, as were 42% of all claims. There are now more than 160 attorneys with ECF logins, in addition to well over 200 "limited participants" who file claims, transfers of claims, and requests for notice on behalf of institutional creditors. Nationwide, 80 out of 94 districts are now "live" on the bankruptcy version of the CM/ECF software. Over 70 district courts use CM/ECF for civil and criminal cases.

Mandatory Electronic Filing - Aloha Airlines Case. Generally, electronic filing remains voluntary in the United States Bankruptcy Court for the District of Hawaii. However, on January 31, 2005, the court entered an order in the jointly administered Chapter 11 cases of Aloha Airgroup, Inc., and Aloha Airlines, Inc., requiring all parties represented by counsel to electronically file documents (other than requests for notice or less than 10 proofs of claim) effective April 1, 2005. The order authorizes the clerk's office to reject paper documents submitted by attorneys, unless excused by the court after filing an Ex Parte Motion for Relief from Order Requiring Electronic Filing. A party may also seek leave to file a particular document in paper form by submitting a Motion for Leave to File Document Conventionally, together with a copy of the document saved as a .pdf (Portable Document Format) file on a computer diskette or CD.

Training. Attorneys wishing to obtain an ECF login may schedule a training class by calling the Help Desk line - 522.8100 x 171. Registration forms and other information about CM/ECF are posted at the court's website. Classes for attorneys representing creditors generally run about 2 hours. Instruction on filing a petition to commence a bankruptcy case typically adds another 30 - 45 minutes.

Sealed and Redacted Documents. Page 2 of this newsletter contains revised procedures for filing sealed or redacted documents. Note that the sealing of documents is highly disfavored and requires an order prior to their submission to the court. Every effort should be made to include confidential material in separate exhibits - the motion and supporting memoranda should never be sealed.

03/08/2005	580	<p>Order Granting Motion to Shorten Time (related document(s): 575, 578). The court will hear the M/Modifying Supplemental Interim Cash Collateral Order to Extend Challenge Deadline on an expedited basis at the United States Bankruptcy Court, 1132 Bishop Street, Suite 250L, Honolulu, Hawaii on 3/11/2005 at 10:00 a.m.. Responsive memoranda due: March 10, 2005; with no reply except at hearing. <u>Movant shall immediately give notice of the hearing and the briefing deadlines to all parties in interest not receiving electronic notice.</u></p> <p>SO ORDERED. /s/Robert J. Faris, United States Bankruptcy Judge.</p> <p><i>The official order in this matter is set forth in the Notice of Electronic Filing created by this entry. No document is attached.</i></p> <p>(OV) (Entered: 03/08/2005)</p>
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"TEXT" ORDER

"Virtual" or "Text" Orders. The court is expanding its use of "virtual" or "text" orders that consist entirely of the text entry made on the docket. There is no separate PDF image of a document linked to the docket entry. However, the act of entering the order on the docket, as with any filing event, creates a Notice of Electronic Filing which provides parties with the order's complete text and the date and time of its entry. The court will be issuing this type of order to dispose of routine matters such as ex parte requests to appear pro hac vice, shorten time, and employ a professional.

Courtroom Address. A number of notices continue to name the First Hawaiian Bank Building as the court's location. The building's name was changed in 1998 to "1132 Bishop Street." On a notice of hearing, please identify the location of the hearing as: "**Courtroom, United States Bankruptcy Court, District of Hawaii, 1132 Bishop Street, Suite 250L, Honolulu, Hawaii.**" Please do not use "Suite 350L" in the address because this occasionally results in the misunderstanding that the courtroom is on the 3rd floor of the main building tower.

PDF Tips. See the attached tips on inserting pages and splitting documents, courtesy of the United States District Court, Northern District of New York.



CourtNotes. This email newsletter is intended to keep the local bar informed about CM/ECF and other court news and procedures. If you wish to be added to (or removed from) the court's email list for receipt of this newsletter, or if you have any comments or questions, please email mark@hib.uscourts.gov or michael_dowling@hib.uscourts.gov.

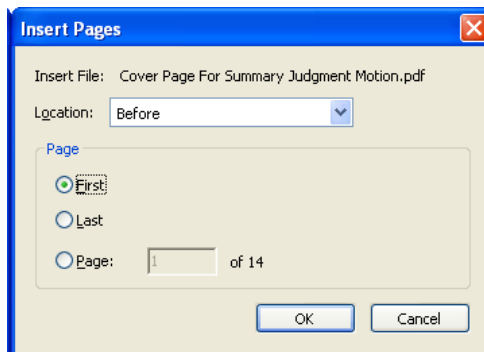
SEALED DOCUMENTS
(Excerpt from Guidelines for Filing Documents)

1. **Sealing and Redaction.** An order authorizing the filing of a document under seal must be obtained whether the document will be completely sealed or whether the document entered on the docket contains redactions not made on a copy provided to the judge. Motions and memoranda of law may include redacted text or figures but should not be sealed in their entirety. To the extent feasible, confidential information should be placed in exhibits, separate from the description of the relief being requested and any legal argument.
2. **Motion to Seal.** Filing a document under seal requires a court order. A motion to file one or more documents under seal may be filed electronically or on paper. If filed through ECF, the filing party must promptly advise chambers staff of the motion by telephone at (808) 522-8100 ext. 111 or by e-mail at calendar@hib.uscourts.gov or chambers@hib.uscourts.gov. A proposed order should not be attached to the motion. The proposed order should be delivered to the judge's chambers in paper form or via e-mail to orders@hib.uscourts.gov.
3. **Filing Sealed or Redacted Documents.** Pursuant to an order granting a motion to seal, a party wishing to file a document under seal must provide the copies described below. Each copy must have a cover page with the full case caption, identity of the filing party, title of the document, and reference to the sealing order (e.g., "*Filed under seal pursuant to order entered June 1, 2004*"). The cover page should also state either "*Material redacted*" or "*Entire document under seal*".
 - a. **Docket Copy (redacted version or cover page).** Because the court must maintain a record of all documents, including those sealed, the filing party must submit a copy suitable for entry in the public record. This may be either a redacted version of the document or the above-described cover page. This copy should be filed electronically through the court's ECF system prior to the delivery of the sealed versions to the court. When docketing this copy via ECF, the filer should include descriptive docket text such as "*redacted (or sealed) pursuant to order entered June 1, 2004; complete version submitted under seal.*" If not filed electronically, this copy to be entered in the public record must be submitted on paper with the other two copies described below.
 - b. **Clerk's Copy (complete version under seal).** The filing party must deliver a complete version of the sealed or redacted document with original signature(s) in a sealed envelope and the notation "*Original*" on the cover page. If the redacted copy for the docket was filed electronically through ECF, the Clerk's copy should also be noted: "*A redacted copy of this document has been docketed via ECF as Dkt. No. _____*". If the court subsequently unseals the document, this version will replace the copy used for the initial docketing.
 - c. **Judge's Copy (complete version under seal).** The filing party must deliver a complete version of the sealed or redacted document in a sealed envelope with the notation "*Judge's Copy*" on the cover page. This copy will be destroyed upon disposition of the underlying matter.

How To Insert Cover Pages Into PDF Documents With Adobe Acrobat Professional

Adobe Acrobat Professional provides a convenient method for adding pages to an existing PDF Document. This can be useful for many purposes, including adding cover pages to exhibits & attachments. To create and insert cover pages into a PDF document, do the following:

1. Create the cover page(s) with your word processing application, and convert the cover pages to PDF format. Make sure that you take note of the resulting PDF file names and file locations.
2. In Adobe Acrobat Professional, open the PDF exhibit or attachment that you will be adding the cover page to. Perform the following menu steps: **DOCUMENT > PAGES > INSERT**.
3. A window labeled **Select File To Insert** will open. Browse to the PDF cover page that you created earlier and select it.
4. Choose the desired options from the **Insert Pages** dialog box that will appear next:



The *Location* field includes two possible options: After and Before. The *Page* area includes options for inserting the document before or after the current document's first page, last page, or a specific page number.

5. When inserting a cover page at the beginning of a PDF document, you will want to specify "Before" the "First" page in the **Insert Pages** box (as shown in the example above).
6. Click "OK" to finish. Make sure you save the resulting PDF document.

SPLITTING PDF DOCUMENTS INTO MULTIPLE DOCUMENTS WITH ADOBE ACROBAT 6

The **Extract Pages** Tool provides a simple way to split a PDF document into two or more separate PDF files with Adobe Acrobat Professional. You can extract pages from an existing PDF document and use them as the basis for a new PDF document or several documents. When you extract pages, you can preserve the extracted pages in the original document or delete them. To extract pages from a PDF document, follow these steps:

1. Open the PDF document that contains the pages you want to extract.
2. Choose Document | Pages | Extract to open the "Extract Pages" dialog box, as shown here:



3. Specify a range of pages by entering page numbers in the From [] and To [] fields.
4. Click the "Delete Pages After Extracting" checkbox to have Acrobat delete the pages from the original document when they are extracted.
5. Click OK to extract the pages, and Acrobat opens the extracted pages as a new document.
6. Choose File | Save As and then specify a filename and location where you want the extracted pages saved as a new PDF file.